

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

RECEIVED  
APR 16 2009  
AT 8:30  
WILLIAM T. WALSH  
CLERK

MERCK SHARP & DOHME  
PHARMACEUTICALS SRL,

Plaintiff,

v.

TEVA PHARMACEUTICALS USA,  
INC., and TEVA PHARMACEUTICAL  
INDUSTRIES, LTD.,

Defendants.

Civil Action No. 09-0233 (GEB)(TJB)

**[PROPOSED] CONSENT ORDER  
ADMINISTRATIVELY TERMINATING  
THIS ACTION PENDING THE ENTRY  
OF APPROPRIATE FINAL JUDGMENT**

THIS MATTER having been jointly presented to the Court by Consent Order by Plaintiff Merck Sharp & Dohme Pharmaceuticals SRL and Defendants Teva Pharmaceuticals USA, Inc., and Teva Pharmaceutical Industries, Ltd., and all parties consenting to administratively terminate the above captioned case ("Singular<sup>®</sup> II") provided that Singular<sup>®</sup> II be reopened for the entry of final judgment upon the entry of final judgment in Civil Action No. 07-1596 (GEB)(TJB)(Consolidated) ("Singular<sup>®</sup> I") per the Stipulation and Order Regarding Final Judgment dated April 3, 2009;

IT IS on this 15 day of April, 2009,

ORDERED that the above captioned case will be administratively terminated; and

IT IS FURTHER ORDERED that upon the entry of final judgment in Singular<sup>®</sup> I, the above captioned case will be immediately reopened for entry of final judgment consistent with the result in Singular<sup>®</sup> I, as anticipated by the Stipulation and Order Regarding Final Judgment dated April 3, 2009.

Dated: April 15, 2009

Respectfully submitted,

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IT IS SO ORDERED.

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The Honorable Tonianne J. Bongiovanni  
United States Magistrate Judge